

**Before the State of South Carolina  
Department of Insurance**

**In the Matter of:**

Alisa I. Southard

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) SCDOI Docket # 04-231  
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**ORDER REVOKING  
RESIDENT PRODUCER  
LICENSE**

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting the revocation of Alisa I. Southard, d.b.a. Isreal & Associates (Producer) resident producer's licenses.

After careful review of the evidence presented the Department issues the following decision.

**FINDINGS OF FACT**

Producer is currently a South Carolina resident producer.

In the State of South Carolina, the producer's appointment was terminated for cause by the Kanawha Insurance Company for failing to remit premiums.

In the State of South Carolina, the producer's appointment was terminated for cause by the Mutual of Omaha Insurance Company for failing to remit premiums.

In the State of South Carolina, the producer failed to remit premiums collected to the United Teacher Associates Insurance Company and then attempted to pass fraudulent checks to refund the premiums.

In the State of South Carolina, the producer failed to remit premiums collected to the Conseco Insurance Company.

In the State of South Carolina, the producer was placed on a two (2) years probationary period as of January 9, 2004, for previous violations of Title 38, South Carolina Code of Laws.

In the January 9, 2004, consent order placing the producer on two (2) years probation, the producer agreed that if any additional South Carolina Insurance Laws were violated during the probationary period, her producer license would be immediately revoked without any further disciplinary proceedings.

In the State of South Carolina, the producer failed to respond to a notice of investigation sent certified and regular mail, which she acknowledged receipt of on October 18, 2006.

All of the violations stated above occurred during the producer's two (2) year probationary period.

### **CONCLUSIONS OF LAW**

Pursuant to S.C. Code §38-43-130(A)(C)(4) "The director or his designee may place on probation, revoke, or suspend a producer's license after ten days' notice or refuse to issue or reissue a license when it appears that a producer has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the department, or has willfully deceived or dealt unjustly with the citizens of this State." (C)(4): "The words "deceived or dealt unjustly with the citizens of this State" include, but are not limited to, improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business." Because of Alisa I. Southard's failure to remit premiums to the Kanawha Insurance Company, the Mutual of Omaha Insurance Company, the United Teacher Associates Insurance Company and the Conseco Insurance Company the Department may revoke or suspend her producer license.

Pursuant to S.C. Code §38-43-240(A)(3) "It is unlawful for a producer, collector, or other person to fail to turn over or satisfactorily account for all collections of the insurer when required" As a result of Alisa I. Southard's failure to remit premiums to the Kanawha Insurance Company, the Mutual of Omaha Insurance Company, the United Teacher Associates Insurance Company and the Conseco Insurance Company the Department now move to revoke her producer license.

THEREFORE, it is ordered that Alisa I. Southard's producer license be revoked thirty (30) days from the date of this order, and no license issued through the State of South Carolina Department of Insurance is to be issued to her, unless the respondent requests in writing within said thirty (30) day period a public hearing before the South Carolina Administrative Law Court.

It is FURTHER ORDERED that the National Association of Insurance Commissioners be immediately notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act*, S.C. Code Ann. §§30-4-10, et seq. (1991 and Supp. 2005). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of

insurance or the provisions of this title which he considers necessary to report.” S.C. Code Ann.  
§38-3-110(3) (Supp. 2005).

A handwritten signature in black ink, reading "Eleanor Kitzman". The signature is fluid and cursive, with the first name "Eleanor" being more prominent than the last name "Kitzman".

Eleanor Kitzman  
Director of Insurance

Dated this 18 of January 2007.